

IN THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT  
OF OHIO EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO.: 1:15CV1046
	)	
Plaintiff,	)	JUDGE SOLOMON OLIVER, JR.
	)	
v.	)	
	)	
CITY OF CLEVELAND,	)	<u>JOINT MOTION TO MODIFY</u>
	)	<u>SETTLEMENT AGREEMENT</u>
Defendant.	)	<u>REGARDING INSPECTOR</u>
	)	<u>GENERAL TITLE AND</u>
	)	<u>REPORTING</u>

The United States of America and the City of Cleveland, hereafter referred to as “The Parties,” jointly move this honorable Court to enter the modified Settlement Agreement in this matter (Dkt. #7-1, #413-1), attached hereto. The Court previously approved jointly proposed modifications to the Settlement Agreement (Dkt. #416) recognizing changes to the role of the Community Police Commission following voter approval of amendments to City of Cleveland Charter Section 115. The current proposed modifications seek to enhance the independence of the Police Inspector General by changing the position’s reporting structure and to change the title of the role from “Police Inspector General” to “Public Safety Inspector General.” The Parties’ jointly proposed modifications are detailed in Attachment A hereto. Attachment B hereto is a redlined version of Attachment A that highlights the modifications.

The Settlement Agreement currently provides that the Inspector General “will report to the Chief of CDP.” (Dkt. #7-1, par. 251; #413-1, par. 251). The Parties agree that reporting outside CDP will promote independence and transparency and enhance the Inspector General’s autonomy in exercising review and investigatory authority over CDP. Therefore, Parties propose to modify paragraph 251 to state that the Inspector General “will report to the Chief Director of Public Safety.” Corresponding with this change, the Parties seek to change the title of the role from “Police Inspector General” to “Public Safety Inspector General.”

The title and reporting structure are the only changes the proposed modifications make to the Settlement Agreement. The Inspector General will continue to provide oversight only over the Cleveland Division of Police, and none of the position’s qualifications, functions, duties or scope of authority as set forth in Settlement Agreement paragraphs 248, 250-256, 261, and 377 will change. Furthermore, the City recognizes that its compliance with the Settlement Agreement will be based on the ability of the newly titled Public Safety Inspector General to fulfill the oversight responsibilities set forth in the Settlement Agreement, and if the City makes any future changes to the responsibilities of the Inspector General, it will still be required to comply with the Settlement Agreement. (Dkt. ##7-1, 413-1).

### **CONCLUSION**

The Parties respectfully request that the Court approve the proposed modifications to the Settlement Agreement in this matter.

Respectfully submitted,

**FOR THE UNITED STATES**

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